

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Hicks,

File No. 21-cv-1957 (ECT/DTS)

Plaintiff,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Daniel Isaac Smith and Endurance
Broadcasting,

Defendants.

Magistrate Judge David T. Schultz issued a Report and Recommendation on December 17, 2021. ECF No. 10. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT**

IS ORDERED THAT:

1. The Report and Recommendation [ECF No. 10] is **ACCEPTED**;
2. Plaintiff's Motion for Agency Stay [ECF No. 3] is **DENIED** as moot; and
3. Plaintiff's action is **DISMISSED WITHOUT PREJUDICE** pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 4, 2022

s/ Eric C. Tostrud

Eric C. Tostrud
United States District Court